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ABSTRACT

Designed for middle school through high school students, this unit contains eight lesson plans that focus on Virginia state law. The state lessons correspond to lessons in the volume, "Antidote: Civic Responsibility. Drug Avoidance Lessons for Middle School & High School Students." Developed to be presented by educators, law student, or attorneys, the state lessons are interactive and sequential, although individual lessons can stand alone. The document includes legal information about driving while intoxicated, drug offenses, sentencing, and drug and alcohol statutes written specifically to combat juvenile abuse. (RJC)

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ED 382 554

Antidote: Civic Responsibility

Virginia Law

Phi Alpha Delta Public Service Center
• 1511 K Street, NW • Suite 611 • Washington, DC 20005•
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Lesson 1

1. **Has Aimee violated any Virginia laws? Have her parents?**

   Aimee has not broken any law. There is presently no law which makes a minor liable for unintentionally dangerous acts toward another minor. The children's parents, however, may be liable under Va. Code § 18.2-371.1 for child abuse or neglect, since leaving the children unattended or failure to provide appropriate supervision could cause or permit serious injury to the girls' lives or health. If the authorities receive a complaint as to the children being left alone, Va. Code § 63.1-248.9 provides guidelines under which local protective services workers might be able to take the children into temporary custody.

2. **Does Virginia statute allow 17-year-old Tyrell to drink a glass of wine with his dinner without his parents' consent?**

   Tyrell may not drink the wine. Va. Code Ann. §§ 4-62 and 4.1-305 prohibit the purchase or possession of any alcoholic beverages by any person under the age of 21. Although Va. Code Ann. § 4-89 permits keeping and possessing in a residence alcoholic beverages "lawfully acquired" for personal and family use, Tyrell may not lawfully possess any alcoholic beverage.

3. **Is Maria violating any law when she tells her roommates whom to call to buy marijuana?**

   Whether Maria is breaking the law depends on her involvement with the person actually selling the drugs. If Maria is not cooperating in any way with the dealer, she is not guilty of any infraction. If, however, she is receiving anything from the buyer or the seller in return for her actions or is operating according to a plan to facilitate drug sales, she could be guilty under Va. Code § 4-87 of aiding and abetting the possession of a controlled substance; under Va. Code § 18.2-256 of conspiracy; or, depending on the magnitude of the sale, under Va. Code § 18.2-22, conspiracy to commit a felony, which is itself a class 3 felony offense. If Maria is participating in a drug conspiracy, she may also be violating federal law under 21 U.S.C.A. § 846, which prohibits any attempt or conspiracy to commit any violation of federal drug control statutes.

4. **Have Adam and Alex broken any laws other than those against drinking and fighting?**

   The twins, by recklessly engaging in conduct "having a direct tendency to cause acts of violence," are guilty of disorderly conduct in a public place, a violation of Va. Code § 18.2-415. More seriously, they can be held liable in Joe's death under Virginia laws covering involuntary manslaughter, a class 5 felony. Va. Code § 18.2-36. "Involuntary manslaughter is the

killing of one accidentally contrary to the intention of the parties, in the prosecution of some unlawful act, but not felonious act; or in the improper performance of a lawful act." Commonwealth v. Jones, 28 Va. (1 Leigh) 598 (1829); Souther v. Commonwealth, 48 Va. (7 Gratt.) 673 (1851).

5. **Has Jose violated any Virginia law even though he is not drinking? Has Carlos or TJ broken any law?**

Jose may be in violation of several statutes. Va. Code Ann. §§ 4-62 and 4.1-305 prohibit the purchase or possession of any alcoholic beverages by any person under the age of 21. Such behavior constitutes a misdemeanor. If there is alcohol in Jose's car, it may be construed to be in his possession regardless of who actually purchased it. Under Va. Code § 16.1-278.9, effective October 1, 1993, Jose could lose his driver's license for up to six months for such an alcohol-related violation.

Jose's companions have also broken several laws. TJ, also a minor, is prohibited by Va. Code Ann. §§ 4-62 and 4.1-305 from the possession of alcoholic beverages. He would also be subject to losing his driver's license for up to six months under Va. Code § 16.1-278.9. If they are drinking in the car or in any other public place, both TJ and Carlos may be violating Va. Code §§ 4-78 and 4.1-308, which make drinking or offering alcoholic beverages to another person in public a class 4 misdemeanor. Carlos, as an adult, may also be guilty of contributing to the delinquency of a minor, a class 1 misdemeanor under Va. Code § 18.2-371; of purchasing alcoholic beverages for another person to whom such sale is not permitted, a class 1 misdemeanor under Va. Code § 4.1-306; and of aiding and abetting TJ and Jose in the violation of sections of the Alcoholic Beverage Control Act, a misdemeanor under Va. Code § 4.1-323. The authorized punishments for a conviction of a class 1 misdemeanor is confinement in jail for not more than 12 months and/or a fine of not more than $2,500; for a class 4 misdemeanor, a fine of not more than $250.

6. **Is Dr. Melrose committing any violation by prescribing painkillers without conducting an examination or determining need?**

Dr. Melrose is violating not only state but federal law. His behavior is likely to be considered unprofessional conduct violating several subsections of Va. Code § 54.1-2914. He may also be violating Va. Code § 54.1-3303, which requires prescriptions to be issued for medical or therapeutic purposes only, within a bona fide physician-patient relationship. If Dr. Melrose is not examining his patients, his relationship with his patients may not meet this test. Similarly, under U.S. law 21 U.S.C.S. § 829, a physician must have a legitimate medical purpose for dispensing drugs, and the act of dispensing or prescribing drugs should be within the usual course of professional practice. U.S. v. Varma, 691 F.2d 460

(1982); U.S. v. Jamieson, 605 F.Supp. 119 (1985).

Dr. Melrose's patients, if they do not provide to him a bona fide reason for needing the painkillers, may also be breaking the law. Va. Code § 18.2-258.1 (Michie 1993) prohibits obtaining drugs by fraud, deceit, misrepresentation, embezzlement, or subterfuge, or by concealing a material fact. Such violation constitutes a class 6 felony. Failure to provide a medical reason for wanting the painkillers could be construed as deceit, misrepresentation, or subterfuge, or as concealing a material fact. Similarly, federal law 21 U.S.C.A. § 843 prohibits knowingly or unknowingly acquiring possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge.

7. **Is Danielle violating any law by taking only one or two pills from someone else's prescription?**

Danielle is violating several state and federal laws. If Danielle is taking the pills in the pharmacy or before they have been paid for, her actions may be considered employee theft. Va. Code § 8.01-44.4 (Michie 1992) covers shoplifting and employee theft. "A merchant may recover a civil judgment against any person who commits employee theft for two times the actual cost of the merchandise to the merchant." Danielle's employer could file a civil claim against her to recover two times the actual cost of the total amount of merchandise stolen. Alternatively, if she takes them after leaving the pharmacy to make the delivery or after the prescription has already been paid for, she may be considered to be stealing from the customer rather than from her employer. In either case, she may face charges of petit larceny or grand larceny, depending on the value of the pills. Petit larceny covers the theft of goods worth less than $200, whereas grand larceny is defined as the theft of goods worth more than $200. Va. Code §§ 18.2-95 and 18.2-96.

More seriously, Danielle is violating several drug control statutes. Va. Code § 18.2-250 (Michie 1992) prohibits the knowing or intentional possession of a controlled substance unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner. Such unlawful possession may constitute an offense as serious as a class 5 felony, depending on the type of substance. By sneaking the pills out of someone else's prescription, Danielle is also committing a class 6 felony under Va. Code § 18.2-258.1 (Michie 1993), which prohibits obtaining drugs by fraud, deceit, misrepresentation, embezzlement, or subterfuge.

She is also violating U.S. law under 21 U.S.C.A. § 843, which prohibits knowingly or unknowingly acquiring possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge, and 21 U.S.C.A. § 844, which prohibits simple possession of a controlled substance unless such substance was obtained by prescription. The seriousness

of her crime under these drug control codes will depend on the type of drug which she is taking from the customer's prescription and how she uses it.

8. **Is Renee breaking Virginia law even though she is not selling the drugs herself?**

Even though she is not selling the drugs directly, Renee is violating several Virginia and federal laws. First, she is violating Va. Code § 18.2-248 (Michie 1992), under which it is unlawful to "manufacture, sell, give, distribute, or possess with intent to manufacture, sell, give, or distribute, a controlled substance..."; Va. Code § 18.2-250 (Michie 1993), which prohibits possession of controlled substances unless the substance was obtained directly from or pursuant to a valid prescription or order of a practitioner; Va. Code § 18.2-255 (Michie 1992), which prohibits the distribution of certain drugs to persons under 18; and Va. Code § 18.2-255.2, which prohibits the sale of proscribed drugs on or near any type of school or certain types of public institutions such as hospitals, community centers or libraries. She is also violating similar federal statues such as 21 U.S.C.A. § 841 (West 1993), prohibiting possession of a controlled substance with the intent to manufacture, distribute or dispense such substance; 21 U.S.C.A. § 844 (West 1993), prohibiting simple possession of a controlled substance; and 21 U.S.C.A. § 861 (West 1993), which prohibits the knowing and intentional use of any person under 18 years of age to violate any federal drug control provision.

Renee's use of her young daughter in drug trafficking violates Va Code. § 18.2-371 (Michie 1993) against contributing to the delinquency of a minor. Renee's behavior also constitutes child abuse under Va. Code § 18.2-371.1B (Michie 1993), which states that "[a]ny parent, guardian, or other person responsible for the care of a child under the age of eighteen whose willful act or omission in the care of such child was so gross, wanton and culpable as to show a reckless disregard for human life shall be guilty of a class 6 felony." Such violation gives the appropriate authorities the power to take the child into custody under Va. Code § 63.1-248.9 (Michie 1993).

In addition to the likelihood of losing custody of her child, Renee could receive heavier sentencing under federal statutes. Under 21 U.S.C.A. § 859 (West 1993), the distribution of a controlled substance to a person under 21 years of age is subject to increased penalties. The United States also expressed its concern with the importance of protecting children from drug trafficking in 21 U.S.C.A. § 860 (West 1993), which imposes heavier prison sentences in cases involving the distribution or manufacture of controlled substances in the proximity of schools, playgrounds, or youth centers. 18 U.S.C.A. APP. 4 § 3B1.3 (West 1993) also provides for increased sentences in cases of abuse of position of

trust, as in a drug trafficking defendant's involvement of her young daughter in the drug trade. U.S. v. Ledesma, 979 F.2d 816 (1992).

9. **Did Jim violate any law other than those regarding controlled substances?**

Both Jim and Andre have broken laws other than those regarding drug use. By helping each other commit the felony of personal drug use, they have violated Va. Code § 18.2-22 (Michie 1993), which prohibits conspiring to commit a felony. This constitutes a class 5 felony. In addition, they have violated Va. Code § 54.1-3466, which prohibits the possession of controlled paraphernalia, including hypodermic needles or syringes, for the purpose of illegal drug use.

Virginia does not currently have any statute dealing specifically with the intentional or unintentional transmission of the HIV virus. Few cases have yet dealt with this issue. However, under the Model Penal Code, behavior such as Jim's could constitute simple or aggravated assault or the attempt thereof, or reckless endangerment; under certain extreme situations, it could be construed as murder. See Gene Schultz, AIDS: Public Health and the Criminal Law, 7 St. Louis U. Pub. L. Rev. 65 (1988); Roger N. Braden, AIDS: Dealing With the Plague, 19 N. Ky. L. Rev. 277 (1992).

Since their drug use and conspiracy constitute felony offenses, Andre could be charged with felony homicide for his role in Jim's death due to overdose. Virginia statute defines felony homicide as the "killing of one accidentally, contrary to the intention of the parties, while in the prosecution of some felonious act other than [capital and first degree murder], is murder of the second degree and is punishable as a Class 3 felony." Va. Code § 18.2-33 (Michie 1992).

10. **Has the bartender or the owner at Bulldog's Bar and Grill violated any law?**

The bartender and the owner could be held liable for selling the drink to Su given that she appeared to be intoxicated at the time of the sale. Va. Code § 4.1-304 provides that no person shall sell alcoholic beverages to any person when at the time of such sale the seller "knows or has reason to believe that the person to whom the sale is made is...intoxicated."

Lesson 2

CRIMINAL JUSTICE STATISTICS: DRUG AND ALCOHOL RELATED OFFENSES

UNIFORM CRIME REPORT DATA OF 1990--CRIME IN THE UNITED STATES

According to the Uniform Crime Report of 1990, 68% of the drug abuse violators were arrested for possession of heroin, cocaine or a narcotic derivative. A little over 31% of drug arrests were for the sale and manufacture of drugs.

Out of the 14,195,100 total number of arrests that occurred in 1990, drug abuse violations accounted for 1,089,500, driving under the influence comprised 1,810,800, and liquor law violations represented 714,700 of the total.

1981-1990 Ten Year Trend

Arrests for Drug Abuse Violations

In 1981, the total number of arrests for drug abusers under the age of 18 was 69,383. On the other hand in 1990, the total number was 50,435. This represents a 27.3% **decrease** in the number of arrests for persons under the age of 18. However, the number of arrests for persons over the age of 18 represent an 89.9% **increase** from 332,733 in 1981 to 631,932 in 1990.

Liquor Law Violations

For persons over the age of 18, the number of arrests for liquor law violations have dramatically **increased** to 61% from 218,079 in 1981 to 351,064 in 1990. However, the number of arrests for persons under the age of 18 has decreased to less than 0.4%.

♦ ♦ ♦

Criminal Victimization in the United States, 1990 A National Crime Victimization Survey Report, February, 1992

Percent Distribution of Victimizations by Perceived Drug or Alcohol Use by Offender:

- Of the **130,260** total rapes reported by victims to police, **49.8%** were believed to be committed by someone under the influence of drugs or alcohol.
- Of a total of **1,149,710** reported robberies, **24.2%** involved an offender under the influence of drugs or alcohol.
- Of **1,600,760** aggravated assaults committed **40%** were committed by people under the influence of drugs.
- Of the **3,128,130** simple assaults reported, **32.9%** were perpetrated by someone perceived to be under the influence of drugs or alcohol.

Lesson 4

FEDERAL SCHEDULE (answers to handout 3)

DRUG	SCHEDULE
heroin	schedule 1
beer	not a scheduled drug
vodka	not a scheduled drug
nitrate	not a scheduled drug
amphetamines	schedule 3
caffeine	not a scheduled drug
marijuana	schedule 1
crack	schedule 2
scotch	not a scheduled drug
MSG	not a scheduled drug
cocaine	schedule 2
glue	not a scheduled drug

FEDERAL PENALTIES BY SCHEDULE FOR POSSESSION

SCHEDULE	MAX. PRISON	MAX. FINE	MAX. TOTAL
schedule 1	15 years	$25,000	15yrs + $25,000
schedule 2	15 years	$25,000	15yrs + $25,000
schedule 3	5 years	$15,000	5yrs + $15,000
schedule 4	3 years	$10,000	3yrs + $10,000
schedule 5	1 year	$ 5,000	1yr + $ 5,000
unscheduled drug	n/a	n/a	n/a

The penalty doubles if the defendant has a previous conviction for a schedule law violation.

In order for a drug to be a narcotic, it must be a derivative of opium. All narcotics contain opium or opium derivatives, ie: heroin.

Malt beverages such as beer are not included in the scheduling process. They are controlled by liquor laws.

Information from 21 U.S.C.A. § 841 (West 1981).

States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Alabama	sch 1	sch 2	sch 2	sch 1	sch 3
Alaska	sch 1A	sch 2A	sch 2A	sch 3A	sch 4A
Arizona	sch 1	sch 2	sch 2	sch 1	sch 2
Arkansas	sch 1	sch 2	sch 2	sch 1	not listed
California	sch 1	sch 2	sch 2	sch 1	sch 2
Colorado	sch 1	sch 2	sch 2	sch 1	sch 2
Connecticut	sch 1	sch 2	sch 2	sch 1	sch 3
Delaware	sch 1	sch 2	sch 2	sch 1	sch 2
D.C.	sch 1	sch 2	sch 2	sch 2	sch 2
Florida	sch 1	sch 2	sch 2	sch 1	sch 2
Georgia	sch 1	sch 2	sch 2	sch 1[1]	sch 2
Hawaii	sch 1	sch 2	sch 2	sch 1	sch 2
Idaho	sch 1	sch 2	sch 2	sch 1	sch 2
Illinois	sch 1	sch 2	sch 2	listed under its act: the Cannabis Control Act, 56 1/2 §701 et seq	sch 2
Indiana	sch 1	sch 2	sch 2	sch 1	sch 2
Iowa	sch 1	sch 2	sch 2	sch 1	sch 2
Kansas	sch 1	sch 2	sch 2	sch 1	sch 1
Kentucky	sch 1	sch 2	sch 2	sch 1	sch 2
Louisiana	sch 1	sch 2	sch 2	sch 1	sch 2
Maine[2]	sch W	sch W	sch W	sch W & Z	sch W
Maryland	sch 1	sch 2	sch 2	sch 1	sch 1
Massachusetts[3]	class A	class B	class B	class D	class B
Michigan	sch 1	sch 2	sch 2	sch 1	sch 2
Minnesota	sch 1	sch 2	sch 2	sch 1	sch 2
Mississippi	sch 1	sch 2	sch 2	sch 1	sch 2
Missouri	sch 1	sch 2	sch 2	sch 1	sch 2
Montana	sch 1	sch 2	sch 2	sch 1	sch 2

[1] Must have more than 15% THC (tetrahydrocannobinol), the chemical in the cannabis plant.

[2] Maine schedules its drugs under an alphabetical category: W, X, Y & Z. The schedules are similar to other state categorizations.

[3] Massachusetts calls their schedules classes, but they are the same thing.

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States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Nebraska	sch 1	sch 2	sch 2	sch 1	sch 2
Nevada[4]	sch 1	sch 2	sch 2	sch 1	sch 3
New Hampshire	sch 1	sch 2	sch 2	sch 1	sch 3
New Jersey	sch 1	sch 2	sch 2	sch 1	sch 3
New Mexico	sch 1	sch 2	sch 2	sch 1 & 2	sch 2
New York	sch 1	sch 2	sch 2	sch 1	sch 2
North Carolina	sch 1	sch 2	sch 2	NC has a sixth schedule which incl. marijuana	sch 2
North Dakota	sch 1	sch 2	sch 2	sch 1	sch 2
Ohio	sch 1	sch 2	sch 2	sch 1	sch 2
Oklahoma	sch 1	sch 2	sch 2	sch 1	sch 2
Pennsylvania	sch 1	sch 2	sch 2	sch 1	sch 2
Puerto Rico	sch 1	sch 2	sch 2	sch 1	sch 3
Rhode Island	sch 1	sch 2	sch 2	sch 1	sch 2
South Carolina	sch 1	sch 2	sch 2	sch 1	sch 2
South Dakota	sch 1	sch 2	sch 2	sch 1	sch 2
Tennessee	sch 1	sch 2	sch 2	sch 2, but only for certified patients under the Controlled Substances Therapeutic Research Act	sch 2
Texas	sch 1	sch 2	sch 2	sch 1	sch 2
Utah	sch 1	sch 2	sch 2	sch 1	sch 2
Vermont	sch 1	sch 2	sch 2	sch 1	sch 3
Virginia	sch 1	sch 2	sch 2	not listed, but liquid marijuana or hashish oil is listed as sch 1	sch 2
Washington	sch 1	sch 2	sch 2	sch 1	sch 2
West Virginia	sch 1	sch 2	sch 2	sch 1	sch 2
Wisconsin	sch 1	sch 2	sch 2	sch 1	sch 2

[4] While Nevada does not specifically name drugs under its five schedules, but instead lists the specific tests to determine under which schedule a drug belongs § 453.2182 says that the state will use 21 USC as a guide for scheduling. The state merely reserves the right to reschedule any controlled substance as it sees fit according to the tests set out in 453.166, et. seq.

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States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Wyoming	sch 1	sch 2	sch 2	sch 1	sch 2

OFFENSE/SUBSTANCE	SENTENCE
First Offense: Cocaine - Possession With Intent To Distribute - 5 kg	• imprisonment for 5 to 40 years, and • fine of up to $500,000
First Offense: Trace of Heroin - Possession of 1 kg or more of a mixture with a small, but detectable amount of heroin	• imprisonment for 1 to 10 years, and/or • fine of up to $1000
First Offense: Codeine - Possession - 200 mg	• imprisonment for 1 to 10 years, and/or • fine of up to $1000
Second Offense: Marijuana - Possession - 50 kg	• imprisonment for up to 12 months, and/or • fine up to $1000
Third Offense - Methamphetamine - Possession - 100 g	• imprisonment for 1 to 10 years, and/or • fine up to $1000

Cite: VA Code §§ 18.2 - 248, 250 and 250.1.

Current Federal Penalties:

Group 1 and Group 2: . . . person shall be sentenced to prison which may not be less than 10 years or more than life and a fine not to exceed 4 million dollars.

Group 3: . . . person shall be sentenced to a term of imprisonment of not more than one year, a fine not exceed $250,000 in the case of an individual.

Group 4: . . . person shall be sentenced to a term of imprisonment of not more than 10 years, a fine not to exceed $500,000.

Group 5: . . . person shall be sentenced mandatory life imprisonment without release and fine not to exceed $8 million.

Cite: 21 U.S.C. § 841 (1992).

Lesson 6 & 7

1. **What does DWI stand for?**

Driving while intoxicated.

2. **What does DUI stand for?**

Driving under the influence. Under §18.2-266 it is illegal for a person to drive with a blood alcohol content of 0.10 or more or while under the influence of alcohol.

3. **In terms of penalties, is being convicted of DWI more serious than being convicted of DUI?**

There is no distinction between the two offenses under Virginia law.

4. **What are the penalties for being convicted of DWI? DUI?**

Under §18.2-270 the penalties for violating §18.2-266 are:

CONVICTION	PUNISHMENT
first (class 1 misdemeanor defined at § 18.2-11)	• imprisonment not to exceed 12 months, and/or • a fine of not more than $2500
second (within 5 years of first)	• fine of $200 to $2500, and • jail for 1 month to 1 year
second (within 5 to 10 years of first)	• fine of $200 to $2500, and • jail for 1 month to 1 year
third and subsequent (within 10 years)	• fine of $500 to $2500, and • jail for 2 months to 1 year, 30 days of which are mandatory

5. **What is the penalty for refusing to submit to a breathalyzer test upon a police officer's reasonable request?**

Under §18.2-268.2 any person driving in Virginia consents to a breath test. Under §18.2-268.4 refusal of the test shall lead to revocation of a persons license for 6 months for the first offense and 1 year for the second or subsequent refusal within 1 year.

6. **What must a person's blood alcohol content (BAC) be before he/she is legally intoxicated?**

Under §18.2-266 if a person's BAC is 0.10 or more s/he is legally intoxicated.

7. **The legal limit for blood alcohol is lower for persons under the legal drinking age of 21. True or False?**

False. There is no lower limit for persons under 21 in Ohio.

8. **An open container of alcohol can be in your car if you are 21 or over. True or False?**

While there is no specific open container law, under §18.2-323.1 it is illegal to drive while drinking alcohol.. Also, § 4-77 states that in a vehicle for hire, only passengers may carry alcoholic beverages.

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Lesson 9

Although the drinking age is 21 in all 50 states (meaning specifically that the sale of alcohol to minors is prohibited), the laws on teenage drinking vary from state to state. The laws vary in regard to whether they include prohibition of the purchase of alcohol, the attempt to purchase alcohol, the consumption of alcohol and the possession of alcohol. According to the March 11, 1993 Safety Recommendation report of the National Transportation Safety Board,

- Five states (DE, FL, MT, NH & NY) and the District of Columbia do not prohibit the purchase of alcohol by minors.
- West Virginia and the District of Columbia do not prohibit public possession of alcohol by minors.
- 23 states (AK, AR, DE, DC, FL, GA, RI, IL, IA, LA, ME, MD, MI, MS, MT, NV, NH, NY, SC, TX, UT, VT, VA) do not prohibit minors from attempting to purchase alcohol.
- 21 states (AR, CO, CT, FL, GA, HI, IA, KY, LA, MA, MS, MO, NE, NH, NM, NC, OR, SC, VT, WV, WY) do not prohibit alcohol consumption by minors.
- 16 states (AR, CA, CO, HI, KY, LA, ME, MI, NM, NY, NC, OK, SD, VA, WA, WY) do not prohibit minors from misrepresenting their age in order to purchase alcohol.
- 19 states (AL, AR, CO, DE, DC, IA, KS, LA, MD, MN, MT, NJ, OR, PA, SC, UT, VA, WA, WI) do not prohibit minors from presenting false ID to purchase alcohol.

In addition, most states do no prohibit minors from driving with alcohol in their blood unless their blood alcohol content reaches the adult legal limit, which is .10 percent in most states. Fifteen states, however, have amended their laws to lower for minors the permitted blood alcohol content while driving. These laws vary according to the age under which minors must be in order for the lower blood alcohol content to apply. Here is the layout for state laws on blood alcohol content for minors while driving:

0.00 BAC	0.01 BAC	0.02 BAC	0.04 BAC	0.05 BAC	0.06 BAC
AZ (<21)	NJ (<21)	ME (<21)	RI (<21)	CA (<18)	GA (<18)
NC (<19)		MD (<21)	NH (<21)	NM (<18)	
OR (<21)		OH (<18)			
UT (<21)		VT (<18)			
WI (<18)					

A number of states have tried to cut down on teenage driving accidents by implementing nighttime driving restrictions. The following states have some form of curfew for teenage driving:

ID: minors <16 can drive during the daytime only
IL: minors <17 cannot drive between 11pm-6am Mon-Thur and 12am-6am Fri-Sun
LA: minors <15 cannot drive between 11pm-6am Mon-Thur and 12am:6am Fri-Sun
MD: minors <16 cannot drive between 12am-5am
MA: minors <18 cannot drive between 1am-4am
NY: minors <18 cannot drive between 9pm-5am
PA: minors <18 cannot drive between 12am-5am
SD: minors <16 cannot drive between 8pm-6am